

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 20 2000

PAT.&T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DONALD E. HANEY

Appeal No. 2000-0819
Application 08/993,699

ORDER REMANDING TO EXAMINER

An examination of the file reveals that an Information Disclosure Statement (IDS) was filed April 17, 1998 (Paper No. 2). While it is noted that the Examiner's Office Action mailed August 5, 1998 (Paper No. 5) stated that "[r]eceipt is acknowledged of Applicant's Prior Art Statements, filed April 17, 1998," it is not apparent from the record whether the examiner considered the IDS or notified appellant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellant of the Primary Examiner's decision is required.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for consideration of the IDS, appropriate notification to appellant, and for such further action as may be appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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